

ARTICLES

Should Blacks Represent Blacks and Women Represent Women? A Contingent "Yes"

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Disadvantaged groups gain advantages from descriptive representation in at least four contexts. In contexts of group mistrust and uncrystallized interests, the better communication and experiential knowledge of descriptive representatives enhances their substantive representation of the group's interests by improving the quality of deliberation. In contexts of historical political subordination and low de facto legitimacy, descriptive representation helps create a social meaning of "ability to rule" and increases the attachment to the polity of members of the group. When the implementation of descriptive representation involves some costs in other values, paying those costs makes most sense in these specific historical contexts.

In at least four contexts, for four different functions, disadvantaged groups may want to be represented by "descriptive representatives," that is, individuals who in their own backgrounds mirror some of the more frequent experiences and outward manifestations of belonging to the group. For two of these functions—(1) adequate communication in contexts of mistrust, and (2) innovative thinking in contexts of uncrystallized, not fully articulated, interests—descriptive representation enhances the substantive representation of interests by improving the quality of deliberation. For the other two functions—(1) creating a social meaning of "ability to rule" for members of a group in historical contexts where that ability has been seriously questioned, and (2) increasing the polity's de facto legitimacy in contexts of past discrimination—descriptive representation promotes goods unrelated to substantive representation.

In the contexts of group mistrust, uncrystallized interests, a history suggesting inability to rule, and low de facto legitimacy, constitutional designers and in-

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dividual voters have reason to institute policies that promote descriptive representation, even when such implementation involves some losses in the implementation of other valued ideals. As political parties, legislative committees, and voters weigh the pros and cons of descriptive representation, this analysis argues for attention to the specific historical contexts that make descriptive representation most useful.

The analysis will stress that the deliberative function of democracy requires descriptive representation far more than does the aggregative function. It is primarily when we ask how to improve deliberation—both vertically, between constituent and representative, and horizontally, among the representatives—that we discover the virtue of shared experience, which lies at the core of descriptive representation.

What Is “Descriptive” Representation?

In “descriptive” representation, representatives are in their own persons and lives in some sense typical of the larger class of persons whom they represent.¹ Black legislators represent Black constituents, women legislators represent women constituents, and so on.

Few commentators have noticed that the word “descriptive,” modifying representation, can denote not only visible characteristics, such as color of skin or gender, but also shared experiences, so that a representative with a background in farming is to that degree a descriptive representative of his or her farmer constituents. This criterion of shared experience, which one might reasonably expect to promote a representative’s accurate representation of and commitment to constituent interests, has a long history in folkways and even in law. Long-term residents in a town often argue for electing to office someone born in the town on the implicit grounds that lifetime experience increases the representative’s common experiences with and attachment to the interests of the constituents. Similar arguments appear against “carpetbaggers” in state legislatures. The United States Constitution even requires that a president of the nation be born in the United States. “Being one of us” is assumed to promote loyalty to “our” interests.

Arguments against Descriptive Representation

Descriptive representation is not popular among normative theorists. Indeed, most normative democratic theorists have rejected descriptive representation relatively summarily, often with some version of Pennock’s trenchant comment, “No one would argue that morons should be represented by morons” (Pennock 1979,

¹ Birch 1993, 72; see also 1964, 16. The term “descriptive representation” was coined by Griffiths and Wollheim (1960, 188) and adopted by Pitkin ([1967] 1972). I use this term instead of the simpler “mirror” representation because of a potential confusion: Many people expect representatives of all kinds to “mirror” the *views* of their constituents. In the two best recent treatments of the issue, Phillips (1995) uses the term “politics of presence” and Williams (1998) the term “self-representation.”

314, based on Griffiths and Wollheim 1960, 190; see also Grofman 1982, 98; Pitkin [1967] 1972, chap. 4). Even among explicit advocates of group representation the ideal of descriptive representation finds little support. Will Kymlicka writes, “[T]he general idea of mirror [descriptive] representation is untenable” (1995, 139) and Iris Marion Young concurs: “Having such a relation of identity or similarity with constituents says nothing about what the representative does” (1997, 354).

Empirical political scientists studying women and Black legislators have had similar negative assessments. Irene Diamond, the first empirical political scientist to investigate in depth the actions of women legislators, reported, for example, that in New Hampshire, the state with the highest percentage (and also the highest absolute number) of women legislators, most women legislators did not see themselves as “acting for” women, in Pitkin’s phrase. Rather, New Hampshire’s low salary (\$200 a year in 1972) and high representative/constituent ratio (with its consequent low competitiveness) brought to the legislature a high proportion of older homemakers. With little self-confidence or desire for a career in politics, they did not see themselves as representing women’s interests (Diamond 1977). On the basis of this kind of evidence, women political scientists often concluded that descriptive female gender had no predictable relation to support for women’s substantive interests (e.g., Schlozman and Mansbridge 1979).² The first empirical political scientist to investigate in depth the actions of Black members of Congress, Carol Swain, similarly concluded that in the U.S. Congress, “[m]ore black faces in political office (that is, more descriptive representation for African Americans) will not necessarily lead to more representation of the tangible interests of blacks” (1993, 5).

These normative theorists and empirical researchers make an important, in-controvertible point. The primary function of representative democracy is to represent the substantive interests of the represented through both deliberation and aggregation. Descriptive representation should be judged primarily on this criterion. When nondescriptive representatives have, for various reasons, greater ability to represent the substantive interests of their constituents, this is a major argument against descriptive representation.

The Costs of a Lottery: Lesser Talent

The most frequent criticism of descriptive representation charges that descriptive representatives will be less able than others to perform the task of the

²Sapiro (1981, 712), however, argued that in the case of women descriptive representation was “a necessary condition, but it is not sufficient.” Her argument for necessity rested on the grounds that (1) having women rather than men in office demonstrably makes government somewhat more responsive to women’s interests; (2) participation in government is intrinsically valuable; and (3) increased representation of women will undermine the perception that politics is a male domain. I will reproduce most of these arguments here, while both moving them from the domain of necessity to contingency and agreeing that the contingent circumstances that make some descriptive representation beneficial for women obtain now.

substantive representation of interests: "No one would argue that morons should be represented by morons."

This criticism rests primarily on confusing two forms of descriptive representation, the "microcosmic" and the "selective" forms.³ In "microcosmic" representation, the entire assembly is designed to form a microcosm, or representative sample, of the electorate. Microcosmic representation was the ideal of John Adams, James Wilson, Mirabeau, and certain other eighteenth-century theorists (Pitkin [1967] 1972), including particularly the American Anti-Federalists (Manin [1995] 1997, 109–14). Almost all of Hanna Pitkin's argument against descriptive representation, which has often been taken as dispositive, is explicitly or implicitly directed against this form (Pitkin [1967] 1972, chap. 4).

If microcosmic representation, achievable only by lottery or another form of representative selection, were to replace elected representative assemblies, one cost would indeed lie in the strong likelihood that choosing the members of a ruling assembly at random from the population would produce legislators with less ability, expertise, and possibly commitment to the public good than would choosing those legislators through election. In current electoral systems, many of those who run for election have chosen lawmaking as their vocation. They have spent much of their adult lives acquiring the skills needed for the job. The voters then select among these individuals, guided in part by the ability and training of the candidates in their chosen field. Representatives so selected arguably have greater abilities and training in this field than individuals selected through a representative sample.⁴ Representatives who have chosen politics as a calling and who have been selected in competitive elections may also have a greater commitment to the public good than individuals chosen through a representative sample (see Madison [1788] 1987), although some election and reelection incentives work in the opposite direction.

My own experience with town meeting democracy (Mansbridge [1980] 1983) leads me to conclude that the ability, expertise, and commitment to the public good of ordinary members of the public are sufficient to make a relatively random

³ The term "microcosmic" comes from Birch 1993, 72; the term "selective" is my own.

⁴ Burnheim's (1985) suggestions for microcosmic representation reduce the potential costs of lesser talent with a process based on a mixture of nomination and lot. Manin ([1995] 1997) traces the different uses of lot in the political systems of ancient Greece, Rome, and the Italian republics of the Renaissance, specifying in each case the mechanisms that increased the likelihood of competent and responsible action on the part of the officeholder chosen by lot. He plausibly attributes the relatively sudden disappearance in the eighteenth century of political interest in the lot both to a concern that citizen *consent* be expressed in electoral participation and—among many writers in England, France, and the Federalists in America—to a desire for representatives to rank higher than most of their constituents in talent, virtue, and wealth. Representation by some forms of lot, he argues, was practicable even in polities as large as those of eighteenth-century England (82). For a general discussion of the uses of randomization, see Elster [1987] 1989.

sample of citizens a plausible, although by no means ideal, representative assembly. In contrast to Pitkin, who argued that there is simply “no room” in a descriptive concept of representation for “leadership, initiative or creative action” ([1967] 1972, 90), I do not find it hard to envision a representative sample of the U.S. population producing the kind of leadership, initiative, and creative action of which the average New England town meeting is capable. The capacities of such leaders, initiators, and creators would undoubtedly not reach the level of those who now guide the United States, but I am not sure that they would be incapacitatingly worse.

Nevertheless, because lawmaking in large states and at the national level usually requires considerable talent and acquired skill, the costs of replacing current elected assemblies with assemblies chosen simply by random selection from the population overwhelm the current benefits. Very few democratic theorists advocate substituting microcosmic representation for electoral representation. Even the Australian John Burnheim, who advocates microcosmic representation based on a modified lot, does not expect his suggestion to be put into practice within our lifetimes in any of the world’s current democracies. The suggestions with a greater likelihood of being adopted add to existing electoral systems some component of microcosmic representation.⁵

In the far more frequent “selective” form of descriptive representation, institutional design gives selected groups greater descriptive representation than they would achieve in existing electoral systems in order to bring the proportions of those groups in the legislature closer to their percentages in the population. Selective forms of descriptive representation are necessary, if at all, only when some form of adverse selection operates within an existing system to reduce the proportions of certain groups below what they would achieve by chance. Otherwise, one would expect all the characteristics of the population to be duplicated, more or less, in the legislature in proportion to their occurrence in the population. Selective representation should thus be conceived as com-

⁵ Mueller, Tollison, and Willett (1972), Barber (1984, 290–93), and Callenbach and Phillips (1985) have proposed election of officials by lot, but not with the expectation of having their suggestions widely adopted. Dahl (1970, 149; 1977, 17; 1985, 86–89; 1992, 54–57) has suggested adding a third assembly, chosen by lot from a nationwide population, to advise the United States Senate and House of Representatives. More recently Dahl has suggested creating smaller deliberative bodies, drawn by lot from a nationwide population, to consider specific issues, such as health care, in which the reelection incentives of politicians and the desire among the populace to benefit without paying costs combine to curtail appropriate deliberation (Dahl 1997). These bodies are similar to Nagel’s (1992) “deliberative assembl[ies] on a random basis” (DARBs), Fishkin’s (1991, 1995, 1996) “deliberative opinion polls,” and Crosby’s (1995, 1996) more local “citizen juries,” the last two of which have already developed a notable track record in practice. None of these theorists advocating forms of microcosmic representation has, however, either used the terms “descriptive” or “mirror” representation, or evaluated their recommended microcosmic forms in explicit response to the literature critical of descriptive representation.

compensating for the effects of some other process that interferes with an expected proportionality.

One version of the selective form of representation draws geographical district lines to encourage the election of representatives from proportionally underrepresented groups. In other versions of selective representation, parliaments and parties set aside a number of seats for members of specific descriptive groups, such as French speakers, Catholics, scheduled castes, or women. Other versions could seek to identify and mitigate or remove on a more universalist basis particular obstacles that now account for some of the underrepresentation of certain groups.

Representatives with selective descriptive characteristics need not be significantly less skilled or dedicated to the public good than representatives chosen for reasons that do not include descriptive characteristics. It is true that adding any criterion (e.g., that a representative have lived in a constituency five or more years, or be of a given gender or ethnicity) to a mix of criteria for selection will always dilute to some degree the impact of the other criteria for selection. The key question is, however, whether the reasons for the currently lower proportion of a given characteristic are functionally related to ability to perform the task of representation. Such lowered ability could be the reason that in the existing system those characteristics have been selected against (as in the case of "morons"). But if the reasons for lower proportions of the characteristic are not functionally related to the task, and if the descriptive characteristic on which one is selecting is widely shared, one would expect any decrement in talent from adding a descriptive criterion to the mix of criteria for selection to be almost infinitesimally small.⁶

The institutional tools that have recently been used to promote relevant descriptive representation (e.g., redrawing district lines in the United States or changing the composition of party lists in Europe) do not seem to have resulted in representatives with noticeably lesser skills or commitment to the public good. Although in microcosmic representation the costs in talent might be considerable, in selective representation those costs seem to be negligible.

The Costs of Selection: Which Groups, Why, and How Many from Each?

If microcosmic representation has the cost of some likelihood of lesser talent, at least it has no costs derived from having to choose some groups rather than others for descriptive representation. Selective representation presents exactly the opposite pattern. The cost in lesser talent is relatively low, but costs do arise

⁶ If adding descriptive criteria in fact made a selection process dip significantly lower into the pool of potential representatives, politics could compensate for any expected descriptive decrement by reducing the negative impact of the other factors on selection (e.g., by instituting public funding for campaigns or increasing the salary of the legislators). The number of talented and dedicated individuals currently driven away from state and federal electoral politics by low salaries and the politically compromising activities of fund-raising is undoubtedly far higher than the number that would be overlooked if, say, ethnicity and gender played greater roles in the selection process.

in the process of group selection. Even here, however, the costs are far lower than is usually assumed.

In 1981, James Morone and Theodore Marmor criticized congressional legislation that required citizens on advisory boards to be “broadly representative of the social economic, linguistic and racial populations of the area”⁷ by asking rhetorically what demographic characteristics ought to be represented:

Common sense rebels against representing left-handers or redheads. What of Lithuanians? Italians? Jews? The uneducated? Mirror views provide few guidelines for selecting which social characteristics merit representation. (1981, 437)

Other commentators have similarly assumed that no principled guidelines could be enunciated to suggest what groups ought to be represented or when.⁸ This criticism has so often been thought to be simply unanswerable that its mere statement has been taken as dispositive. We can answer it fairly easily, however, by examining both the deliberative and the aggregative functions of democracy.

The *deliberative* function of representative democracy aims at understanding which policies are good for the polity as a whole, which policies are good for a representative’s constituents, and when the interests of various groups within the polity and constituency conflict. It also aims at transforming interests and creating commonality when that commonality can be genuinely good for all. In its deliberative function, a representative body should ideally include at least one representative who can speak for every group that might provide new information, perspectives, or ongoing insights relevant to the understanding that leads to a decision. It should not, however, simply reproduce all views in the polity. The process of choosing representatives should select to some degree against those views that are useless or harmful to the polity as a whole (Mansbridge 1998).

The *aggregative* function of democracy aims at producing some form of relatively legitimate decision in the context of fundamentally conflicting interests. In its aggregative function, the representative assembly should, in moments of conflict, ideally represent the interests of every group whose interests conflict with those of others, in proportion to the numbers of that group in the population. Proportionality with equally weighted votes in the legislature is the representative equivalent of the aggregative ideal of “one person, one vote” in direct democracy. The proportional representation of interests alone cannot create democratic legitimacy, but in combination with either cross-cutting interests or power

⁷ 1981, 431, quoting the National Health Planning and Resources Development Act of 1974, which called for consumers of health care to sit on the boards of more than 200 Health Systems Agencies.

⁸ Grofman writes, for example, “One difficulty with the mirror view is that it is not clear what characteristics of the electorate need to be mirrored to insure a fair sample” (1982, 98). See also Pitkin [1967] 1972, 87–88; Voet 1992, 395; Gutmann and Thompson 1996, 154.

sharing, and with strong protections for minority rights, it comes sufficiently close.⁹

This analysis allows us to conclude that the perspectives and interests of left-handers should be represented in deliberation when their perspectives are relevant to a decision (e.g., in decisions regarding the design of surgical instruments) and in aggregation when their interests conflict with those of others. Similarly with redheads, Lithuanians, Italians, Jews, the uneducated, and all other groups.

In aggregation, interests are relatively easily represented by nondescriptive representatives. If a right-handed representative will suffer sufficiently in the next election from not voting for left-handers' interests, that incentive is by definition enough to make the representative cast the normatively appropriate vote. It is true that being a left-hander oneself helps produce internal commitment to the struggle, so that when the issue requires more than just casting a vote (e.g., when it requires preparing, proposing, and gathering support for legislation), left-handed representatives will usually be more likely to throw themselves into the fray. But on matters of pure aggregation, reelection incentives and other forms of accountability can make descriptive representation unnecessary. For aggregation alone, normative democratic theory demands only that power be exercised on behalf of particular interest bearers in proportion to their numbers in the population, not that this power be exercised by any particular mechanism.

In deliberation, perspectives are less easily represented by nondescriptive representatives. Through reading, conversation, and living with left-handers, right-handers can learn many of the perspectives of this group that would be relevant to a deliberation. As we will see, however, in the contexts of communicative mistrust and uncrystallized interests this vicarious portrayal of the experience of others by those who have not themselves had those experiences is often not enough to promote effective deliberation—either vertically between constituents and their representatives or horizontally among the representatives. Although a representative need not have shared personally the experiences of the represented to facilitate communication and bring subtlety to a deliberation, the open-ended quality of deliberation gives communicative

⁹The questions of which perspectives will contribute to understanding and which interests conflict will often be contested, as will the question of how close in any given case an issue comes to either common or conflicting interests. Moreover, the ideals of achieving understanding and settling conflict legitimately are always "regulative" ideals—that is, ideals at which one should aim but not expect fully to achieve (see Mansbridge 1996 on actual polities never achieving full democratic legitimacy). Giving any group veto power over issues deeply important to that group can be useful in a compromise instituting some form of cooperative self-rule when cooperation would otherwise not take place, but such vetoes favor the status quo in inegalitarian ways. Restricting such vetoes to disadvantaged groups (Young 1990) raises the thorny question of how to define which groups deserve such a veto (Kymlicka 1995, 145; Phillips 1992, 89; Williams 1998, 198).

and informational advantages to representatives who are existentially close to the issues.¹⁰

Do deliberations require the participation of representatives of relevant perspectives in proportion to the incidence of those perspectives in the population? In theory, deliberation seems to require only a single representative, or a “threshold” presence, in the deliberation to contribute to the larger understanding (Kymlicka 1993, 77–78, 1995, 146–47; Mansbridge 1981; Phillips 1995, 47, 67ff.; Pitkin [1967] 1972, 84). Getting the relevant facts, insights, and perspectives into the deliberation should be what counts, not how many people advance these facts, insights, and perspectives. In practice, however, disadvantaged groups often need the full representation that proportionality allows in order to achieve several goals: deliberative synergy, critical mass, dispersion of influence, and a range of views within the group.

First, deliberation is often synergistic. More representatives usually produce more, and sometimes better, information and insight, particularly when they may need to explore among themselves new ideas that counter the prevailing wisdom. Groups whose members will be affected by a decision might therefore legitimately demand, even under deliberative criteria, as many representatives as reflect their numbers in the population.

Second, representatives of disadvantaged groups may need a critical mass for their own members to become willing to enunciate minority positions. They may also need a critical mass to convince others—particularly members of dominant groups—that the perspectives or insights they are advancing are widely shared, genuinely felt, and deeply held within their own group.

Third, governing bodies usually include a variety of committees and subcommittees in whose deliberative spaces the most important features of policy are often hammered out. Having sufficient numbers of representatives to disperse into the relevant policy areas allows members of the disadvantaged group to influence decisions wherever those decisions would become better decisions by including these members’ perspectives.

Finally and most importantly, because the content and range of any deliberation is often unpredictable, a variety of representatives is usually needed to represent the heterogeneous, varied inflections and internal oppositions that together constitute the complex and internally contested perspectives, opinions, and interests characteristic of any group. This range of views is not easily represented by only a few individuals.

This analysis suggests that African Americans in the United States are far more richly represented deliberatively by a Congress that includes William Gray III (a Black member of Congress who did not support the Congressional Black

¹⁰Pitkin’s ([1967] 1972) condemnation of descriptive representation recognized its uses in deliberation, but set up what I believe to be a false dichotomy between “talking” and “actively governing” (63, 84), as well as sometimes seeming to restrict the deliberative function to simply “giving information” (63, 81, 83, 84, 88, 90).

Caucus's alternative budget because he was chairman of the Budget Committee in the House) and George Crockett (a Black member of Congress who condemned the State Department for refusing to grant Yasir Arafat an entry visa) than by a Congress that included only one of these two.¹¹ No matter how purely deliberative the assembly, reasons of synergy, critical mass, helpful dispersion and internal diversity insure that in practice each group will usually want to claim as many representatives on that body as is justified by proportionality.

The demand for proportionality is accentuated by the fact that in practice almost all democratic assemblies are aggregative as well as deliberative, and achieving the full normative legitimacy of the aggregative function requires that the members of the representative body cast votes for each affected conflicting interest in proportion to the numbers of such interest bearers in the population (see Mansbridge 1981, 1996, 1998 for a fuller exposition of these ideas).

"Essentialism" as a Cost of Selection

The greatest cost in selective descriptive representation is that of strengthening tendencies toward "essentialism," that is, the assumption that members of certain groups have an essential identity that all members of that group share and of which no others can partake. Insisting that women represent women or Blacks represent Blacks, for example, implies an essential quality of womanness or Blackness that all members of that group share. Insisting that others cannot adequately represent the members of a descriptive group also implies that members of that group cannot adequately represent others (Kymlicka 1993, 1995; Phillips 1992, 1995; Swain 1993; Young 1997).

This problem of essentialism haunts every group that hopes to organize politically around a facet of identity, including descriptive characteristics such as place of birth, gender, and race. Essentialism involves assuming a single or essential trait, or nature, that binds every member of a descriptive group together, giving them common interests that, in the most extreme versions of the idea, transcend the interests that divide them. Such an assumption leads not only to refusing to recognize major lines of cleavage in a group, but also to assimilating minority or subordinate interests in those of the dominant group without even recognizing their existence (Fuss 1989; Spelman 1988; see Young 1994, 1997 for ways of conceiving of group existence with a minimum of essentialist thinking). The problem is exacerbated when the facets of identity assumed to bind the

¹¹ See Swain 1993, 41, 49–71, for Gray and Crockett, and *passim* for the diversity in opinions and styles within the spectrum of African American representation in Congress in the 1980s and early 1990s. See Young 1997 for the concept of diversity of opinion within a single "perspective." For both deliberative and aggregative purposes, the full diversity within any larger perspective or interest should ideally be represented in proportion to numbers in the population, subject to the critical deliberative limitations of (1) threshold representation when a useful perspective would otherwise not be represented at all in a proportional distribution (Kymlicka 1995, 147) and (2) the winnowing out and reduction in salience of relatively harmful and useless ideas.

group together have biological markers, such as sexual organs or skin color, because such markers encourage seeing whatever commonalities are assumed central to the group as biological, not historical.

At its most basic, of course, the process of thought itself encodes a form of essentializing. Most of us cannot think "table" without unconsciously conjuring up a four-legged brown piece of furniture, thereby marginalizing in our considerations the many tables with more or fewer legs and different colors. The problem of simple categorization becomes much worse when, as is often the case in human affairs, one group is socially dominant and becomes the norm, setting expectations and structuring institutions so that those who do not conform to that norm are perceived as deviant or lesser beings, perceive themselves as deviant, and cannot function as well in the structures designed for the members of the dominant group.

Even political groups based on descriptive identity that challenge the hegemony of the dominant group cannot escape this internal dynamic. Feminist organizations that appeal to "sisterhood" have portrayed that sisterhood primarily in terms that reflected the concerns of the dominant (White middle-class) groups in the movement (cf., e.g., Harris 1990; Spelman 1988). Black feminist writers who have challenged that dominance within feminism have themselves portrayed Black women as having a singular "Afrocentric standpoint" (e.g., Collins 1990). Although human cognitive processes prevent our eliminating this tendency to assume homogeneity within a group, we can fight that tendency by cultivating avenues of dissent, opposition, and difference within our organizations, struggling to appreciate contradictions within a larger perceptual standpoint, and using plurals rather than singulars in our writing.

The advocacy of descriptive representation can emphasize the worst features of essentialism. When an extreme descriptivist writes, "it is impossible for men to represent women" (Boyle 1983, 797),¹² that statement implies the corollary, that it is impossible for women to represent men. It also implies that any woman representative represents all women (and all women equally), regardless of the women's political beliefs, race, ethnicity, or other differences.

The essentializing features of descriptive representation can be mitigated by stressing the nonessentialist and contingent reasons for selecting certain groups for descriptive representation. The entire argument in this article is an argument from contingency. Building on a more general argument for the proportional representation of interests, it highlights the historical contexts in which descriptive representation is likely to advance the substantive representation of interests. That descriptive representation most closely approaches normative ideals when it reflects the inner diversity of any descriptively denominated group.

¹²See also Phillips 1995, 52, quoting a group of Frenchwomen in 1789 ("a man, no matter how honest he may be, cannot represent a woman") and Williams 1998, 133, quoting the Reverend Antoinette L. Brown in 1852 ("Man cannot represent woman").

One might also approach contingency from another angle, by asking first what features of the existing electoral process have resulted in lower proportions of certain descriptive groups in the legislature than in the population—a result that one would not expect by chance and that suggests the possibility that “certain voices are being silenced or suppressed” (Phillips 1992, 88; also 1995, 53, 63). The next screening question should be whether the members of that group consider themselves able adequately to represent themselves. If the answer is yes, the third question, bearing on normative responsibility, might be whether there is any evidence that dominant groups in the society have ever intentionally made it difficult or illegal for members of that group to represent themselves. A history of strong prejudice would provide such evidence. If the answer to this third question is also yes, the group appears to be a good candidate for affirmative selective representation. If a group has been in the past excluded by law from the vote, to take an extreme example, it seems likely that the social, political, and economic processes that allowed one group in the past legally to forbid the political participation of another may well have their sequelae in the present, working through informal social, political, and economic structures rather than through the law.¹³

A formulation like this points backward to contingent historical processes rather than inward to an essential nature. It also implies that when the systemic barriers to participation have been eliminated through reform and social evolution, the need for affirmative steps to insure descriptive representation will disappear. The institution of descriptive representation itself becomes contingent.

Other Costs of Descriptive Representation

Another potential cost of selective descriptive representation, related to that of essentialism, involves the way developing institutions that encourage citizens to see themselves as members of a subgroup may erode the ties of unity across a nation, a political party, or a political movement (see, e.g., Phillips 1995, 22ff.). This serious cost has greater or lesser weight depending on the precise institutional

¹³ The intent of this argument is not to restrict groups designated for selective representation to those who have been legally deprived of the vote or other rights of citizenship, but to draw normative attention to this characteristic on the grounds of past societal responsibility. Such responsibility is also involved when a form of discrimination, such as that against gays and lesbians, has run so deep that it has not been necessary legally to forbid their political participation. Historical discrimination is also usually responsible for communication impaired by distrust, a social meaning of lesser citizenship, and impaired *de facto* legitimacy, three of the four contexts that in the central argument in the text mandate particular concern for descriptive representation. See Phillips 1992, 1995; Kymlicka 1993, 1995; and Williams 1998 on historical and systemic disadvantage; Guinier (1994, 140) points out, however, that her argument does not rely primarily on the historic context of group disenfranchisement. Political marginalization, our concern here, need not require economic inferiority (Aminzade n.d.).

arrangements. In some contexts, institutions that encourage subgroups tear deeply at the connected fabric of the whole. In other contexts, subgroups become the experiential anchors for participation that links the individual to the whole.¹⁴ As work on “civil society” progresses, scholars may distinguish better than they have to date the characteristics and contexts that incline some institutions to the disintegrative, others to the integrative, function.

Yet another cost of selective descriptive representation applies specifically to a particular method for achieving this result—drawing electoral boundaries to create relatively homogeneous districts. This cost is the potential loss of influence in other districts. If, for example, White Democrats represent many substantive interests of Black voters much better than White Republicans, and if concentrating Black voters in Black districts produces a few more Black representatives at the cost of many more Republicans elected from other districts, then in some historical circumstances, such as when the percentages in a majority-rule legislature are almost tied between Republicans and Democrats, the substantive impact of losing those Democratic legislators will be high and the cost probably not worth paying (see, e.g., Swain 1993, 7–19, Lublin 1997).

A final cost of selective descriptive representation lies in the possibility of reduced accountability. The descriptive characteristics of a representative can lull voters into thinking their substantive interests are being represented even when this is not the case. As one Black representative to the U.S. Congress told Carol Swain, “One of the advantages, and disadvantages, of representing blacks is their shameless loyalty to their incumbents. You can almost get away with raping babies and be forgiven. You don’t have *any* vigilance about your performance” (1993, 73).¹⁵ One would expect this danger of blind loyalty to be eased as more descriptive representatives competed for and entered the representative assembly, allowing constituents to compare more easily the virtues of one descriptive representative against another. The appointment of Clarence Thomas to the Supreme Court of the United States may have served as a milestone in the evo-

¹⁴To draw an example from the organizational level, the American Psychological Association seems to have devolved into a series of separate subassociations after its sections acquired more power, whereas the American Political Science Association seems to have taken on greater vitality since the Organized Sections acquired a greater say in its governance. Arguments for and against strong state and local governance have also addressed these issues, but I know of no comparative studies designed to explore in what contexts strong subordinate governments weaken the superordinate government and in what contexts they strengthen the superordinate government.

¹⁵The representative’s lack of vigilance derives in part from the fact that “Black representatives from historically black districts are essentially guaranteed reelection if they survive their primaries” (Swain 1993, 220), a condition that in turn derives partly from the almost uniform commitment of Black voters “to the party, faction, or individual candidate that is most supportive of racial reform” (Pinderhughes 1987, 113). See Guinier 1994, 35, 58–60, 82, and de la Garza and DeSipio 1993 on the importance of designing representative systems that increase political participation and attentiveness among the electorate, and the problems of majority-minority districts in this respect.

lution of this process in the Black community, as some African American organizations (e.g., the Congressional Black Caucus and the NAACP) opposed Thomas's nomination in spite of his descriptive characteristics (see Swain 1992; also Crenshaw 1992; West 1992). The decision of many women's groups not to support all women candidates for election represented a similar milestone among U.S. feminists (Mezey 1994, 261).

Against these costs, one must weigh the benefits for substantive representation of enhanced deliberation through descriptive representation. These benefits, I argue, are greatest in contexts of communicative distrust and uncrytallized interests.

Contexts of Distrust: The Benefits of Enhanced Communication

The quality of the mutual communication between representative and constituent varies from group to group and era to era. Historical circumstances can interfere with adequate communication between members of one group and members of another, particularly if one group is historically dominant and the other historically subordinate. A history of dominance and subordination typically breeds inattention, even arrogance, on the part of the dominant group and distrust on the part of the subordinate group.

In conditions of impaired communication, including impairment caused by inattention and distrust, the shared experience imperfectly captured by descriptive representation facilitates vertical communication between representatives and constituents. Representatives and voters who share some version of a set of common experiences and the outward signs of having lived through those experiences can often read one another's signals relatively easily and engage in relatively accurate forms of shorthand communication. Representatives and voters who share membership in a subordinate group can also forge bonds of trust based specifically on the shared experience of subordination.

Claudine Gay's data, for example, indicate that African American constituents in districts represented by an African American legislator are more likely to contact their representative than African American constituents in districts represented by a White legislator (Gay 1996). As Representative Donald Payne, a Black member of Congress, commented to Carol Swain, "Black constituents feel comfortable with me, and see that I feel comfortable with them" (Swain 1993, 219). Groups that are disadvantaged in the electoral process differ, however, on this dimension. Replicating Gay's study but looking at women representatives, Elizabeth Haynes has shown that women in districts represented by a woman are *not* more likely to contact their representative than women in districts represented by a man (Haynes 1997). Problems in communication between men and women certainly exist, but the size of the male-female gaps in communication may well be smaller than the

size of gaps in communication created by race, ethnicity, nationality, or class.¹⁶

In the United States, voters have many of their most vital interests represented through the “surrogate” representation of legislators elected from other districts. Advocates of particular political views who lose in one district, for example, can hope to be represented by advocates of those views elected in another district.¹⁷ Surrogate representatives do not have to be descriptive representatives. But it is in this surrogate process that descriptive representation often plays its most useful role, allowing representatives who are themselves members of a subordinate group to circumvent the strong barriers to communication between dominant and subordinate groups. Black representatives, for example, are likely to be contacted by Blacks “throughout the region” and not just in their own districts. The district administrator for the late Mickey Leland, a Black Texas Democrat, told Carol Swain: “What people don’t understand is that Mickey Leland must be the [Black] Congressman for the entire Southwest” (Swain 1993, 218).

One example will illustrate the communicative advantages of descriptive representation, even for women, whose barriers to communication with men are probably not as high as the barriers between Blacks and Whites. In 1970, before the current slight increase in the number of women representatives in the U.S. Senate, Birch Bayh was arguably the progressive senator most sympathetic to the Equal Rights Amendment (ERA). One of his roles was, therefore, to act as a surrogate representative for the women proponents of the ERA. Bayh served the ERA activists who consulted him both as mentor, through his commitments to progressive causes, and as gatekeeper, through his role as chair of the Judiciary Committee.

¹⁶ See Williams 1998 on “trust,” for the history of Blacks’ justified mistrust of Whites in the United States. See Tannen 1994, 73, 188, for implied comparisons of gender and ethnicity differences. Only after Hyde’s (1990) injunction to pay attention to size of difference as well as existence of difference have psychologists begun routinely to include measures of size of difference in their studies, particularly of gender difference. Many linguists have not yet adopted this strategy. In neither field is it standard to compare the size of gender differences to the size of other common differences—an omission that contributes to the common magnification of gender differences (Mansbridge 1993). I know of no studies on class differences in communicating with representatives (for suggestive data see Heilig and Mundt 1984, 85–91). Note that this analysis focuses on *communicative* distrust as it obstructs fruitful deliberation. On surveys taken in the United States women do not report having more generalized distrust of “the government” than men or Blacks than Whites (see Orren 1997, 86).

¹⁷ Surrogate representation is in many ways similar to what Burke called “virtual representation” ([1792] 1871, 293). It differs in applying to the aggregative as well as the deliberative function of democracy, to will as well as wisdom, to changing preferences as well as relatively fixed and objective interests, and to negotiations among self-interested groups as well as the good of the nation as a whole (Pitkin [1967] 1972, 169–75; see Williams 1998, 33ff. for a nuanced discussion of Burke’s concept of a “description” of people). Burke therefore did not address questions of proportionality, as does my concept of surrogate representation, Weissberg’s (1978) similar “collective representation,” and Jackson and King’s (1989) “institutional” representation. For a fuller analysis of surrogate representation, see Mansbridge 1998.

Early in the constitutional amendment process, Senator Bayh suggested to the proponents an alternate wording for the ERA, based on the words of the existing Fourteenth Amendment to the constitution, which guaranteed equal rights based on race. The ERA proponents rejected Bayh's proposed wording as "weakening" the force of the Equal Rights Amendment. It is not clear in retrospect, however, that the alternate wording would have weakened the amendment. And the wording Bayh suggested would undoubtedly have greatly clarified the uncertainty that eventually became one main cause for the ERA's failure to be ratified in the states.

The history of the interaction between Birch Bayh and the ERA proponents reveals considerable distrust of Bayh among the proponents—a distrust greatly increased by the young male Ivy League staffer assigned to the project, who reportedly described the ERA proponents as "hysterical" women. Had the Senate at that time included a powerful progressive female legislator such as Patricia Schroeder, the ERA proponents would undoubtedly have chosen her as their mentor. The female legislator in turn would almost certainly not have assigned such an insensitive staff member to the project. A female legislative mentor might even have convinced the ERA supporters to adopt a wording parallel to the Fourteenth Amendment, which in turn would very probably have resulted in the ERA's being ratified in the states. This ratification would have induced the members of the Supreme Court to make gender a "suspect category" in their analyses, which it is not now. Alternatively the female legislator and the activists together might have decided, in a more thorough deliberative process, to retain the original wording even at the risk of failure in ratification.

The failure of Birch Bayh to communicate with the ERA proponents in an atmosphere of mutual trust exemplifies the importance of descriptive representation in the larger system of surrogate representation. It suggests the following rule: The deeper the communicative chasm between a dominant and a subordinate group, the more descriptive representation is needed to bridge that chasm.

Contexts of Uncrystallized Interests: The Benefits of Experiential Deliberation

In certain historical moments, citizen interests on a given set of issues are relatively uncrystallized. The issues have not been on the political agenda long, candidates have not taken public positions on them, and political parties are not organized around them. In Eastern and Central Europe after the fall of communism, for example, many political interests were relatively uncrystallized, as hundreds of new political parties struggled to define themselves on the issue map. (One Polish party called itself "Party X," using a consciously contentless signifier; another defined itself, with almost as little content, as "slightly West of center.")

When interests are uncrystallized, the best way to have one's most important substantive interests represented is often to choose a representative whose descriptive characteristics match one's own on the issues one expects to emerge. One might want to elect a representative from one's own geographical territory, class, or ethnicity. Then, as issues arise unpredictably, a voter can expect the representative to react more or less the way the voter would have done, on the basis of descriptive similarity. The original geographic representation of voters in the United States was undoubtedly intended in part to capture this form of descriptive representation.

In political systems where many issues, such as those involving economic class, are relatively crystallized, other issues, such as those involving gender, are surfacing and evolving rapidly on the political agenda. When this is the case, individuals for whom these relatively uncrystallized interests are extremely important may get their best substantive representation from a descriptive representative.¹⁸ Here, the important communication is not vertical, between representative and constituent, but horizontal, among deliberating legislators. In this horizontal communication, a descriptive representative can draw on elements of experiences shared with constituents to explore the uncharted ramifications of newly presented issues and also to speak on those issues with a voice carrying the authority of experience.

In the United States, where party discipline is weak and representatives consequently have considerable autonomy, legislators often vote by "introspective representation," acting on the basis of what they themselves have concluded is the right policy for their constituents and the nation. When this is the case, voters exercise power not by changing the behavior of the representatives, as suggested in traditional mechanisms of accountability, but by electoral selection.¹⁹ In this process, the voters often use descriptive characteristics, as well as party identification and indicators of character, as cues by which to predict whether a particular candidate, if elected, will represent their interests, both crystallized and uncrystallized.

In 1981, for example, when the Illinois legislature was about to vote on the Equal Rights Amendment, I asked several legislators how they determined what their constituents thought about the amendment. One rural legislator explained that he knew what his constituents felt because they felt the way he did: "I come from my district, and they were brought up the same way that I am, or was, and

¹⁸Two of Anne Phillips's four "key arguments" for descriptive representation turn on this issue. One is "the need to tackle those exclusions that are inherent in the party-packaging of political ideas" and the other "the importance of a politics of transformation in opening up the full range of policy options" (1995, 25; see also 43–45, 50, 70, 151ff.). Her analysis, particularly of transformative politics, goes much further than I have the opportunity to do here. Holding other features of substantive representation equal, one might expect descriptive representatives in a field of uncrystallized interests to be most efficacious when dominant groups have kept key issues off the political agenda (see Bachrach and Baratz 1963).

¹⁹Mansbridge 1998. Others have called this process representation by "recruitment" (Kingdon 1981, 45), "initial selection" (Bernstein 1989), or "electoral replacement" (Stimson, MacKuen, and Erikson 1995).

worked the same way I always have" (Mansbridge 1986, 152).²⁰ As a descriptive representative of his constituents, he believed he could know their reactions to the ERA without the ERA having been on the political agenda when he was elected and without consulting his constituents subsequently. He took himself to be "one of them," and was presumably so taken by most of his constituents, by virtue of a cluster of descriptive characteristics, not one.

In the United States Congress, one Midwest Republican made a similar descriptive argument, assuming a similar homogeneity within another member's district:

I could take you down the hall and introduce you to a member who just drips his district, from his shoes to his straw hat. You don't have to go to his district to know what it's like, you just have to look at him. . . . Congress represents its districts because each member comes from his district much more so than because he tries to adapt his personal philosophy [to what his constituents want]. (Bianco 1994, 39)

Focusing on what at first seems more like a single descriptive characteristic, a Black legislator told Richard Fenno, "When I vote my conscience as a black man, I necessarily represent the black community. I don't have any trouble knowing what the black community thinks or wants" (Fenno 1978, 115). Yet this legislator's stance of introspective representation derived from far more than the color of his skin. "His own identification with the black community," Fenno commented, "is obvious and total. Every expression he gives or gives off conveys the idea, 'I am one of you'" (ibid.). The representative assumed that he and his constituents shared a set of experiences that generated specific perspectives and interests requiring representation in the legislature. His constituents in turn used not only the visible characteristic of skin color but also his body language, choice of words, accent, and other external signals to predict the likelihood of a large body of experience shared with them and other African Americans.²¹

When unable to select a representative with reliable descriptive characteristics, voters often select for what I call "pseudo-description," mimicking descriptive behavior. Samuel Popkin recounts President Gerald Ford's adventures campaigning in Texas, as Ford tried unsuccessfully to eat a tamale in order to show Mexican American voters that he was "like them" to the extent of appreciating their food. Popkin comments that familiarity with a culture's food is "an obvious and easy

²⁰ Or, as a member of Congress put it to John Kingdon: "I grew up with these people and I guess I reflect their thinking" (1981, 45). Because of this almost complete attitudinal identity with a majority of their constituents, members of Congress will say and believe, "You'll find congressmen most of the time will want to vote according to their obligations and principles as they see them. The political considerations are less important" (ibid., 46). As one journalist summed up the relationship: "They [the members of Congress] just reflect where they came from" (ibid., 47). Such statements reflect assumptions of a relative homogeneity of interests and perspectives within the majority that elected the representative (Bianco 1994).

²¹ Conversely, both the West Indian background of General Colin Powell and other signals in his language, deportment, and political identification led some African Americans not to see him as a descriptive representative whom they would expect to act "like them" in the legislature. See Williams 1998 for the centrality of shared experience to descriptive representation.

test of ability to relate to the problems and sensibilities of the ethnic group and to understand and care about them" (1994, 3). Later he confirms that

[d]emographic facts provide a low-information shortcut to estimating a candidate's policy preferences. . . . Characteristics such as a candidate's race, ethnicity, religion, gender and local ties . . . are important cues because the voter observes the relationship between these traits and real-life behavior as part of his daily experience. When these characteristics are closely aligned with the interests of the voter, they provide a basis for reasonable, accessible, and economical estimates of candidate behavior. (1994, 63–65)

The accuracy of these cues, and the degree to which they predict "identification" (Fenno 1978, 58–59) or "common interests" (Bianco 1994), depends on the degree to which the descriptive characteristics are in fact aligned with the interests of the majority of voters in their districts, so that representatives engaged in introspective representation will reflect the policies their constituents would choose if they had greater knowledge and time for reflection.

In introspective representation both postelection communication and traditional accountability between the representative and the constituent can be nonexistent, and the relation still fulfill democratic norms. Because this is not a traditional principal–agent relation but rather a relation only of selection, democratic norms require that in the selection process communication be open, accurate, and likely to help participants achieve a better understanding of their interests. We can also judge the relationship normatively by making a third-person estimate of the interests of the constituents and the degree to which the representative actually promotes those interests effectively in the assembly (Mansbridge 1998).

When legislators are engaged primarily in introspective representation, descriptive representation will enhance that representation most when interests are relatively uncrystallized—that is, when party identification and campaign statements provide poor clues to a representative's future actions. On the many issues relating to gender, for example, where views are changing and policies developing in a relatively ad hoc way to meet a rapidly evolving situation, descriptive representatives are, other things equal, more likely than nondescriptive representatives to act as their descriptive constituents would like them to act.

Issues of race, which are somewhat more crystallized in the United States than issues of gender, also produce moments when a descriptive representative acts in a context of relatively uncrystallized interests. In 1993, when Carol Moseley-Braun was the only Black member of the U.S. Senate, only she was galvanized into action when Senator Jesse Helms attached to one piece of legislation an unrelated amendment renewing the design patent of the United Daughters of the Confederacy—a design that featured the confederate flag. Moseley-Braun argued vehemently against the Senate's legitimating the flag by granting this patent, and succeeded in persuading enough senators to reverse themselves to kill the measure.²²

As an African American, Moseley-Braun was undoubtedly more likely than even the most progressive White representative to notice and feel it important to

²² Adam Clymer, "Daughter of Slavery Hushes Senate," *New York Times*, 23 July, 1993. See also Gutmann and Thompson 1996, 135–36.

condemn the use of the Confederate flag on the design patent of the United Daughters of the Confederacy. The flag issue had not previously appeared on the active political agenda of either the nation or the state of Illinois, Moseley-Braun's constituency. Moseley-Braun undoubtedly had never mentioned the issue in her election campaign. Nor could Moseley-Braun have feared reelection sanctions on this point, since without her intervention the amendment would have passed unnoticed. She did, it turns out, use the issue to consolidate her position with her Democratic constituency in the next election, but one can imagine a less dramatic issue in which this would not be the case. The most important reason for her action seems to have been the particular sensibility, created by experience, that led her to notice the Confederate flag and be offended by it. Her descriptive characteristics—going beyond skin color to her use of language and ties to her church—had earlier signaled that sensibility to her Black constituents. The visible characteristics were the outward signs of the shared experience that allowed her, as a representative, to react as most of her descriptive constituents would have liked.²³

With respect to gender, many issues relating to sexual harassment and violence against women are politically salient but have not become sufficiently crystallized that the two main parties in the United States have developed distinctive and opposing positions in regard to them, or that candidates usually mention their positions on these issues in their campaigns. It is not surprising, then, that women legislators have usually been the ones to bring these issues to the legislative table. In Illinois, for example, the Commission on the Status of Women, a bipartisan legislative group including a few nonlegislators such as the antifeminist Phyllis Schlafly, suggested to the legislature a bill that, among other things, instituted the crime of rape in marriage. This pattern of distinctive attention has been repeated in legislature after legislature. Having more women in office unquestionably makes government policies more responsive to the interests of most women.²⁴ Proportional descriptive representation would undoubtedly reflect an even wider range of views among women, producing a more

²³ Her Experience as an African American also helped Moseley-Braun find words to describe the issue that would convince the other senators to change their minds. See Williams 1998 on "voice."

²⁴ Thomas (1994) summarizes the literature on gender differences among legislators and adds important data of her own. She and Mezey (1994) each point out that although on several feminist issues party affiliation predicts feminist position better than female gender, gender has its own independent effect. See also Berkman and O'Connor 1993; Skjeie 1991; Jonasdottir 1988; Strauss 1998. Representative diversity (and the critical mass of important subgroups within that diversity) in any descriptive group greatly increases the chances of diverse perspectives being represented in deliberation. For example, although there was one Black woman on the 16-member Illinois Commission on the Status of Women when it debated the Sexual Assault Act (which also changed the burden of proof in rape, requiring the alleged rapist rather than the victim to show that the victim had consented), it is not clear how deeply, if at all, the commission discussed the distinctive concerns of Black women on this issue. The differential conviction rates of African American and White men, the historical legacy of lynching, and the ongoing racism of most contemporary police forces complicate for Black women approval of any law such as this that shifts the burden of proof on consent in rape from the victim to the alleged rapist (see Crenshaw 1991; Gilmore 1996, chap. 3; Richie 1996; Walker 1981).

nuanced sensitivity to differences within that group. Reflecting internal group differences is a particularly important feature in deliberation when issues are uncrystallized and may be taking their first, and possibly defining, shape.

Disadvantaged groups also may need descriptive representation in order to get uncrystallized substantive interests represented with sufficient vigor (see Phillips 1995, 69 and *passim*, on the “degree of vigorous advocacy that people bring to their own concerns”). As Pamela Conover observed in a different context,

[t]he way we think about social groups depends enormously on whether we are part of that group. Try as we might, the political sympathy that we feel for other groups is never quite the same as that which these groups feel for themselves or that which we feel for ourselves. (Conover 1988, 75)

In the case of Anita Hill versus Clarence Thomas, for example, an issue involving sexual harassment (which could not have been on the agenda of the members of the U.S. House of Representatives when they ran for election) emerged in the Senate hearings on the nomination of Thomas for the Supreme Court. It was the women in the House of Representatives, where the number of women had reached a critical mass, who took decisive action. The famous photograph of five women legislators from the House of Representatives charging up the Senate steps to demand a delay in the Thomas nomination captured for many women voters the need to have representatives of their own gender in the legislative body.

Particularly on issues that are uncrystallized or that many legislators have not fully thought through, the personal quality of being oneself a member of an affected group gives a legislator a certain moral force in making an argument or asking for a favorable vote on an issue important to the group.²⁵

Beyond Substantive Representation

Two other benefits of descriptive representation do not enhance substantive representation, but nevertheless deserve consideration in any discussion of the costs and benefits of descriptive representation. These benefits arise from the representative assembly's role in constructing social meaning and *de facto* legitimacy.

The Construction of Social Meaning

In certain historical conditions, what it means to be a member of a particular social group includes some form of “second-class citizenship.” Operationally, this is almost always the case when at some point in the polity's history the group has been legally excluded from the vote. In these conditions, the ascriptive character of one's membership in that group carries the historically embedded

²⁵ I take this point from Representative Barney Frank (personal communication, June 1998), who as an openly gay legislator in the U.S. Congress serves as a surrogate descriptive representative for many on gay and lesbian issues.

meaning, "Persons with these characteristics do not rule," with the possible implication, "Persons with these characteristics are not able to (fit to) rule."²⁶

Whenever this is the case, the presence or absence in the ruling assembly (and other ruling bodies, such as the executive and judiciary) of a proportional number of individuals carrying the group's ascriptive characteristics shapes the social meaning of those characteristics in a way that affects most bearers of those characteristics in the polity.

A parallel outside the polity may clarify the process of meaning construction. Before the Second Wave of the women's movement in the United States and the revolution in women's sports that it brought about, it was part of the definition of "female" to be nonathletic. The definition was not all encompassing: some women found ways of being female and athletic. But most women were expected, and expected themselves, to be poor athletes. Today, girls' and women's sports in schools and universities have begun to be funded, although not usually at levels comparable to those of boys' and men's sports. Women athletes are in the news—although again, not to the same degree as men. These social facts change the definition of being female in regard to athletics in a way that affects every female regardless of her own orientation and actions.

Similarly, when descriptive characteristics signal major status differences connected with citizenship, then a low percentage of a given descriptive group in the representational body creates social meanings attached to those characteristics that affect all holders of the characteristics. Low percentages of Black and women representatives, for example, create the meaning that Blacks and women cannot rule, or are not suitable for rule.

In 1981, Virginia Sapiro argued that increased descriptive representation of women in the legislatures would undermine the perception that politics is a "male domain" (1981, 712; see also Phillips 1995, 39, 79ff.). In 1976, Mack Jones reported that the growing number of Black elected officials in the South had changed that region's political culture: "The idea of Blacks as political participants rather than subjects is becoming the norm" (1976, 406). In 1989, a Black member of the Arkansas House of Representatives said he worked to help Blacks get elected in local races because he wanted to dispel "the myth that some white kids might have that blacks can't serve or shouldn't be serving at the courthouse" (cited in Guinier 1994, 54; see also 34, 36). If the women representatives are almost all White and the Black representatives are almost all men, however, the implicit message may be that Black women do not or should not rule. A similar message holds for gay men and lesbian women.

This is a historically specific and contextual dynamic. Normatively, making a claim for descriptive representation on these grounds requires historical grounding for the factual contention that the social meaning of membership in

²⁶ The concept has a word in German: *Regierungsfähig*, "fit to rule."

a given descriptive group incorporates a legacy of second-class citizenship. Such a claim could point, for confirmation, to a history of being legally deprived of the vote.

A major cost to this claim, in addition to the problem of essentialism discussed earlier, involves the way the very process of making a claim of historical disability to some degree undermines claims on other political tracks that members of the group have currently achieved the status of first-class citizens. As in any claim for justice based on disadvantage, signaling that disadvantage in public erodes the public presentation of the group as fully equal. This cost must be balanced against the benefit of creating new social meanings that include members of the group as truly “able to rule.”

Claims like this one, based partly on the concept of reparations, do not in theory entail the cost of painting a group as disadvantaged, because—as in the restitution of property in the countries of the former Soviet bloc—claims for reparation can be and are made by political, economic, and social equals (or superiors). But claims for reparation do require both establishing a history of intentional injustice and arguing convincingly that a particular form of reparation (in this case establishing some form of selective descriptive representation) is the best way of redressing that injustice.²⁷

The argument here for the creation of social meaning is an argument not for a right but for a social good. The argument is simply that if the costs are not too great, any measure is good that increases the degree to which the society as a whole sees all (or almost all) descriptive groups as equally capable of ruling.

De facto Legitimacy

A second benefit to descriptive representation comes in the increased empirical (or sociological, or *de facto*) legitimacy of the polity. Seeing proportional numbers of members of their group exercising the responsibility of ruling with full status in the legislature can enhance *de facto* legitimacy by making citizens, and particularly members of historically underrepresented groups, feel as if they themselves were present in the deliberations (Gosnell 1948, 131, cited in Pitkin [1967] 1972, 78; also Guinier 1994, 35, 39; Kymlicka 1993, 83; Minow 1991, 286 n. 69, 291; Phillips 1995). Seeing women from the U.S. House of Representatives storming the steps of the Senate, for example, made some women feel

²⁷ Distinguishing between minority “nationalities” and minority “ethnic groups” within a nation-state, Kymlicka (1995) makes a convincing case on the basis of reparations for nationalities having forms of representation separate from those of the majority population. Although Kymlicka does not espouse descriptive representation for minority ethnic groups or women, a similar historically based case could be made for temporary forms of selective descriptive representation. See Williams 1998 on “memory,” suggesting for selective descriptive representation only the two criteria of contemporary inequality and a history of discrimination. Using only these criteria would generate as candidates for selective descriptive representation Asians, Latinos, 18- to 21-year-olds, and the propertyless, among other groups.

actively represented in ways that a photograph of male legislators could never have done.

To a great degree this benefit is a consequence of previous ones. Easier communication with one's representative, awareness that one's interests are being represented with sensitivity, and knowledge that certain features of one's identity do not mark one as less able to govern all contribute to making one feel more included in the polity. This feeling of inclusion in turn makes the polity democratically more legitimate in one's eyes. Having had a voice in the making of a particular policy, even if that voice is through one's representative and even when one's views did not prevail, also makes that policy more legitimate in one's eyes.²⁸

These feelings are deeply intertwined with what has often been seen as the "psychological" benefits of descriptive surrogate representation for those voters who, because of selective bias against their characteristics, are less than proportionately represented in the legislature. The need for role models, for identification, and for what Charles Taylor (1992) has called "equal dignity" and "the politics of recognition" can be assimilated under this rubric. In many historical moments, these factors may be of great importance to a particular constituency.

I stress the creation of social meaning and *de facto* legitimacy rather than, say, the need for role models on the part of individuals in the descriptively underrepresented group precisely because points like these have often been presented as questions of individual psychology.²⁹ Instead, I want to point out that the social meaning exists outside the heads of the members of the descriptive group, and that *de facto* legitimacy has substantive consequences.

I agree that social relations among and between groups can have major effects on individual identity. It is important that members of a disadvantaged group not be given, in Taylor's words, "a demeaning picture of themselves" (1992, 65). From this perspective, if the costs are not too great, we should promote diversity in all positions of authority and excellence. Young people in particular need these kinds of role models. I have no quarrel with this point. Yet I consider of even greater importance the effects of social meaning on the perceptions and actions of members of the more advantaged groups. There are sometimes more of them, and they are more powerful. My aim, in short, is changing the psychology of the "haves" far more than the psychology of the "have-nots."

²⁸ Heilig and Mundt (1984) found that although moving from at-large to single-member district systems in the 1970s increased the number of Mexican American and Black members on city councils, the fiscal constraints of the cities were so great that even achieving a majority of the group on the council brought few results that greatly affected the citizens (see also Karnig and Welch 1980). At the same time, however, they found that council members from low-income districts were far more likely than at-large representatives to adopt an "ombudsman" role, helping constituents with personal problems and government services. Whatever the cause, the result seemed to be greater satisfaction among constituents after moving to a single-member district system (Heilig and Mundt 1984, 85, 152).

²⁹ On role models see, e.g., the interview with Representative Craig Washington in Swain 1993, 193. Preston (1978, 198) and particularly Cole (1976, 221–23) stress what I call social meaning.

For similar reasons I do not contrast “symbolic” and “substantive” representation. In political contexts the word “symbol” often bears the unspoken modifier “mere.” Moreover, symbols are often perceived as being “only” in people’s heads rather than “real.” Psychological needs are intangible, and it is easy incorrectly to contrast the “intangible” with the “real” (as Swain 1993, 211, points out). In most writing on this subject, the structural consequences of descriptive representation have been deemphasized in favor of psychological ones in ways that I believe do not reflect their actual relative influence in contemporary political life.

Institutionalizing Fluid Forms of Descriptive Representation

Because there are always costs to privileging any one characteristic that enhances accurate substantive representation over others, voters and institutional designers alike must balance those benefits against the costs. And because I have argued that the benefits of descriptive representation vary greatly by context, it would be wise, in building descriptive representation into any given democratic institutional design, to make its role fluid, dynamic, and easily subject to change.

This analysis suggests that voters and the designers of representative institutions should accept some of the costs of descriptive representation in historical circumstances when (1) communication is impaired, often by distrust, (2) interests are relatively uncrystallized, (3) a group has once been considered unfit to rule, (4) *de facto* legitimacy is low within the group. The contextual character of this analysis suggests strongly that any institutionalization of descriptive representation is best kept fluid. Microcosmic forms of descriptive representation are best kept advisory and experimental for a good while, as they currently are. Selective forms are also best kept experimental. Permanent quotas are relatively undesirable because they are both static and highly essentializing. They assume, for example, that any woman can stand for all women, any Black for all Blacks. They do not respond well to constituents’ many-sided and cross-cutting interests.

Drawing political boundaries to produce majority-minority districts is also both relatively static and essentializing. Cumulative voting in at-large districts (Guinier 1994) is far more fluid, as it allows individuals to choose whether they want to cast all their votes for a descriptive representative or divide their votes among different representatives, each of whom can represent one or another facet of the voters’ interests. Such systems, however, have their own costs in party collusion to produce noncompeting candidates and the consequent voter demobilization.³⁰ Systems of proportional representation with party lists have well-known costs, but are still a relatively flexible way to introduce selective de-

³⁰ The state of Illinois practiced cumulative voting until the process was eliminated in 1982 in a cost-cutting effort that reduced the size of the assembly. The cumulative voting system produced greater proportional representation of Democrats and Republicans in the state legislature but not a great degree of voter choice, because for strategic reasons the two major parties often ran altogether only three candidates for the three seats available in each district (Sawyer and MacRae 1962; Adams 1996).

scriptive representation, as those lists can change easily in each election.³¹ Similarly, experimental decisions by political parties to make a certain percentage of candidates descriptively representative of an underrepresented group are preferable to quotas imbedded in law or constitutions. Such ad hoc arrangements can be flexible over time.

Less obtrusive, although also undoubtedly less immediately successful, are other "enabling devices," such as schools for potential candidates (Phillips 1995, 57), and reforms aimed at reducing the barriers to representation, such as those studied by the Canadian Royal Commission on Electoral Reform: "caps on nomination campaign expenses; public funding of nomination campaign expenses . . . ; the establishing of formal search committees within each party to help identify and nominate potential candidates from disadvantaged groups; and so on" (Kymlicka 1993, 62). Vouchers for day care or high-quality day care at the workplace of elected officials would reduce the barriers to political entry for parents of young children. Scholarships to law schools for members of historically disadvantaged and proportionally underrepresented groups would reduce another major barrier to entry.³² This approach more generally aims at identifying and then reducing the specific structural barriers to formal political activity that serve to reduce the percentages in office of particular disadvantaged groups (see Table 1).

TABLE 1

Institutionalizing Fluid Forms of Descriptive Representation

LEAST FLUID

1. Quotas in constitutions
2. Quotas in law
3. Quotas in party constitutions
4. Majority-minority districts
5. Quotas as party decisions
6. Proportional representation and/or cumulative voting
7. "Enabling devices"
 - a. schools and funding for potential candidates
 - b. caps on nomination campaign expenses
 - c. public funding of nomination campaign expenses
 - d. establishing formal search committees within each party to help identify and nominate potential candidates from disadvantaged groups
 - e. high-quality public day care for elected officials
 - f. scholarships to law schools and public policy schools for members of historically disadvantaged and proportionally underrepresented groups

MOST FLUID

³¹ See Zimmerman 1992, 1994 for the positive and negative features of cumulative voting and different forms of proportional representation.

³² Directing attention to the eligible pool, Darcy, Welch, and Clark (1987, 101), indicate that the percentage of women in state legislatures rose from 1970 to 1984 in tandem with the percentage of women in the law.

This paper represents a plea for moving beyond a dichotomous approach to descriptive representation. It argues that descriptive representation is not always necessary, but rather that the best approach to descriptive representation is contextual, asking when the benefits of such representation might be most likely to exceed the costs. Representation is in part a deliberative process. Recognizing this deliberative function should alert us to contexts of communication impaired by distrust and contexts of relatively uncrystallized interests. In both of these contexts, descriptive representation usually furthers the substantive representation of interests by improving the quality of deliberation. Systems of representation also have externalities, beyond the process of representation itself, in the creation of political meaning and legitimacy. Recognizing these externalities should alert us to contexts of past denigration of a group's ability to rule and contexts of low current legitimacy. In both of these contexts, descriptive representation usually produces benefits that extend throughout the political system.

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